

**REMARKS**

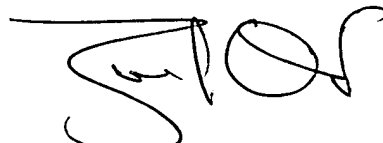
*In the Notice To File Corrected Application Papers (#2) mailed on March 11, 2002, it was indicated that the compact discs mailed by the Applicant on January 11, 2002 failed to comply with 37 CFR 1.52(e) in that they contained non-ASCII files . In response, the Applicant submits a compact disc (CD) ("CD Copy 1") of the sequence listing in ASCII format for compliance with 37 C.F.R. 1.821(c). A duplicate copy ("CD Copy 2") of this CD is also included which is identical to this CD copy. The Applicant also submits a computer readable form (CRF) copy ("CRF Copy") of the sequence listing for compliance with 37 C.F.R. 1.821(e), which is also on compact disc (CD). No duplicate copy is required for the CRF copy.*

The Applicant hereby states that the information recorded in computer readable form (CRF) is identical to the compact disc (CD) sequence listing. No new matter is added by entry of the sequence listing information. Each CD is accompanied by a transmittal letter which provides information including the machine format (namely, IBM-PC), the operating system compatibility (namely, MS-WINDOWS), a list of file names (namely, "seq\_listing"), file size (namely, 54 KB), and file creation date (namely, 4/4/2002).

Finally, the Applicant amends the Substitute Specification mailed on January 11 2002 by submitting a replacement paragraph in accordance with 37 CFR Sect. 1.121(b)(1). This amendment provides an appropriate reference to each CD and provides CD information including a list of file names (namely, "seq\_listing"), file size (namely, 54 KB), and file creation date (namely, 4/4/2002). The Applicant further attaches a marked-up version of this replacement paragraph which reflects the changes made to the present application. The Applicant respectfully submits that no new matter is added by this amendment.

The Applicant respectfully requests entry of this Preliminary Amendment. In light of the above, the Applicant submits that all indicated informalities have now been corrected. The present application is now in a condition suitable for substantive examination. The USPTO is welcome to contact the undersigned to expedite the prosecution of this case.

Respectfully submitted,  
T. FRUDAKIS



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**ATTACHMENTS:** *1 page marked-up replacement paragraph*  
Copy of Notice To File Corrected Application Papers mailed on 3/11/2002  
Compact disc (CD) copy 1 of the sequence listing (with transmittal letter)  
Compact disc (CD) copy 2 of the sequence listing (with transmittal letter)  
Computer readable form (CRF) copy of the sequence listing (with transmittal letter)

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**MARKED UP VERSION OF REPLACEMENT PARAGRAPH**

This patent hereby incorporates by reference a Sequence Listing on compact disc (CD) in accordance with 37 C.F.R. 1.821-1.825. More particularly, two CDs (one original  
5 and one duplicate copy) named DNAPRINT SEQLIST have been submitted to the U.S.P.T.O., each of which includes the Sequence Listing in a file named "seq\_listing" created on ~~01/10/2002~~ 04/04/20002 and having a size of ~~284~~ 54 KB.